

FORM PTO-1390	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No.
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		3165-147
		U.S. Application No. (if known)
		10/583,364
INTERNATIONAL APPLICATION NO. PCT/EP2004/014424	INTERNATIONAL FILING DATE December 17, 2004	PRIORITY DATE CLAIMED December 19, 2003
TITLE OF INVENTION METHOD FOR CONTROLLING CONIFEROUS PLANTS		
APPLICANT(S) FOR DO/EO/US Joseph ZAWIERUCHA, Glenn W. OLIVER, Harold E. QUICKE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. [] This is a FIRST submission of items concerning a filing under 35 U.S.C. 371</p> <p>2. [X] This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. [] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. [] The US has been elected (Article 31).</p> <p>5. [] A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. [] is attached hereto (required only if not communicated by the International Bureau). b. [] has been communicated by the International Bureau. c. [] is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. [] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. [] is attached hereto. b. [] has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. [] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. [] are attached hereto (required only if not communicated by the International Bureau). b. [] have been communicated by the International Bureau. c. [] have not been made; however, the time limit for making such amendments has NOT expired. d. [] have not been made and will not be made.</p> <p>8. [] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. [] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. [] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11. TO 20. below concern other document(s) or information included:		
<p>11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. [] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. [] A preliminary amendment.</p> <p>14. [] An Application Data Sheet under 37 CFR 1.76.</p> <p>15. [] A substitute specification.</p> <p>16. [] A power of attorney and/or change of address letter.</p> <p>17. [] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825</p> <p>18. [] A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. [] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

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20. <input type="checkbox"/> Other items or information: [] RO/101 [] RO/105 [X] ISA/210(ISR) [X] IB/301 [X] IB/304 [X] IB/308 [] IB 401 [X] IB/409(IPER) [X] IB/416 [x] Published Application WO 2005/058041 A2 (cover sheet0)				
21. The following fees are submitted:		<u>CALCULATIONS</u>		
<input type="checkbox"/> Basic National Fee		\$300.00		
\$				
22. <input type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 All other situations \$200.00		\$		
\$				
23. <input type="checkbox"/> Search Fee If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations \$500.00		\$		
\$				
TOTAL OF 21, 22 AND 23 = \$				
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				
\$				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate	
- 100 =	/ 50 =		x 250	\$
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).			\$	
Claims	Number Filed	Number Extra	Rate	
Total Claims	35 -20 =	15	X \$50.00	\$
Independent Claims	3 - 3 =		X \$200.00	\$
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =			\$	
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.			\$	
SUBTOTAL =			\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			+	\$
TOTAL NATIONAL FEE =			\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+	\$
TOTAL FEES ENCLOSED =			\$	
			Amount to be refunded	\$
			Amount to be charged	\$

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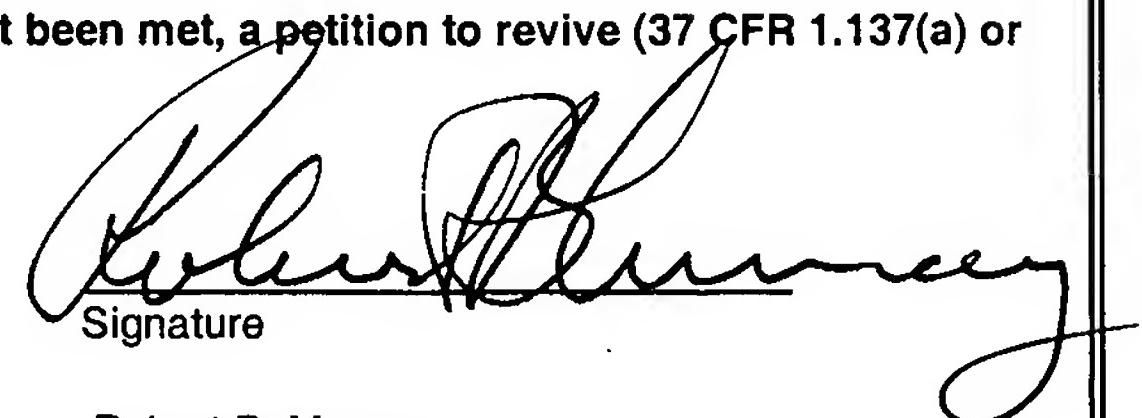
- a. A check in the amount of \$_____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 02-2135 in the amount of \$ to cover the above filing fees.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 06449

Rothwell, Figg, Ernst & Manbeck
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Signature

Robert B. Murray
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Registration Number